

Message Text

CONFIDENTIAL

PAGE 01 LIMA 07940 071815Z

ACTION EB-08

INFO OCT-01 ARA-10 ISO-00 TRSE-00 CAB-02 CIAE-00
COME-00 DODE-00 DOTE-00 INR-10 NSAE-00 FAA-00
L-03 INRE-00 SSO-00 /034 W
-----003035 071820Z /47

O 071745Z SEP 78

FM AMEMBASSY LIMA

TO SECSTATE WASHDC IMMEDIATE 1739

C O N F I D E N T I A L LIMA 7940

E.O. 11652: GDS

TAGS: EAIR, PE

SUBJECT: CIVIL AIR NEGOTIATIONS

REF: LIMA 7791

1. THE FOREIGN MINISTER HAD NOTHING NEW FOR ME YESTERDAY, I REGRET TO SAY. HE ONCE AGAIN READ FROM A MEMORANDUM, PROBABLY PREPARED BY THE INEFFABLE LEON DE VIVERO, AND WHICH DE LA PUENTE HIMSELF DESCRIBED AS EXCESSIVELY LEGALISTIC. THE SENSE OF THIS DOCUMENT WAS THAT THE TWO SIDES WERE IN AGREEMENT OR CLOSE TO IT ON A NUMBER OF POINTS, INCLUDING EXCHANGE OF DALLAS-FORT WORTH FOR NEW YORK; BUT THE STICKING POINT WAS THE U.S. INSISTENCE THAT THE CARRIERS RATHER THAN THE GOVERNMENTS DETERMINE FREQUENCIES AND THE LIKE. THE MINISTER THEN ASKED IF THE APPROVAL AND PUBLICATION OF BRANIFF'S OPERATING PERMIT (SEPTTEL) DID NOT REPRESENT A STEP FORWARD.

2. I SAID I DOUBTED IT INASMUCH AS THE "WHEREAS" CLAUSES SEEMED TO MISINTERPRET THE 1946 AGREEMENT, ALTHOUGH ADMITTEDLY ARTICLE 7 APPEARED TO OPEN THE WAY FOR GREATER FLEXIBILITY IN ITS APPLICATION. I WENT ON TO MAKE THE FOLLOWING POINTS:

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 LIMA 07940 071815Z

--WE RECOGNIZE THAT THE UNDERLYING DIFFERENCES IN PHILOSOPHY CANNOT BE RECONCILED AT THIS TIME AND ARE PREPARED TO BE FLEXIBLE IN ORDER TO REACH AN AGREEMENT THAT WILL ENSURE ADEQUATE AIR SERVICE BETWEEN THE TWO COUNTRIES.

--BUT THE EXCHANGE OF DALLAS-FORT WORTH FOR NEW

YORK IS NOT AN ACCEPTABLE BASIS FOR AN AGREEMENT. WE HAVE TO HAVE MORE IN RETURN FOR GRANTING RIGHTS TO NEW YORK.

--A PERUVIAN PROPOSAL FOR INCREASED FREQUENCIES AND PROVISION FOR AUTOMATIC YEARLY INCREASES MIGHT SERVE AS THE BASIS FOR RENEWED NEGOTIATIONS.

--I COULD NOT RECOMMEND RESUMPTION OF NEGOTIATIONS IN THE ABSENCE OF AN INDICATION FROM THE GOP THAT SOMETHING ALONG THAT LINE COULD BE DISCUSSED.

3. DE LA PUENTE ASKED IF I COULD GIVE HIM AN INFORMAL PIECE OF PAPER SUMMING UP THESE POINTS. HE SAID WITH THAT IN HAND HE WOULD CONVOKE A MEETING IN THE FOREIGN MINISTRY AT WHICH AIR MINISTER TAMAYO AND TRANSPORT MINISTER VANNINI AND THEIR AIDES COULD DISCUSS THE PROBLEM IN MORE DETAIL WITH ME. II SAID I WOULD CONSULT AND GET BACK TO HIM ASAP.

4. COMMENT: THE BRANIFF PEOPLE HERE THINK THERE ARE ENOUGH INDICATIONS OF FLEXIBILITY ON THE PART OF SANCHEZ AND AERO PERU TO RESUME NEGOTIATIONS. THEY ALSO BELIEVE THAT OUR LEVERAGE WILL VANISH IF WE DO NOT MOVE NOW AND OBTAIN AN AGREEMENT BEFORE THE END OF THE MONTH WHEN AERO PERU MUST SIGN UP FINALLY FOR THE L-1011.
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 LIMA 07940 071815Z

MY NEGOTIATING INSTINCTS RUN THE OTHER WAY. GENERAL TWEDDLE IS THE ONE WHO MUST PRODUCE AN AGREEMENT, AND MY GUESS IS THAT HE HAS ENOUGH WEIGHT TO FORCE SOME GOP MOVEMENT. BUT I COULD BE WRONG. AND I AM AWARE OF THE OTHER CONSIDERATIONS, INCLUDING BRANIFF'S PROBLEMS WITH THE TRUNCATED RUN FROM DALLAS-FORTH WORTH.

5. AFTER REFLECTION, I COME TO THE CONCLUSION THAT IF WE ARE TO RESPOND TO DE LA PUENTE, IT WOULD BE BETTER TO DO SO BY MEANS OF AN OFFICIAL LETTER CALLING FOR AN OFFICIAL RESPONSE. SUCH A LETTER MIGHT SAY IN ESSENCE "THE USG IS PREPARED TO EXPLORE IN RESUMED NEGOTIATIONS THE POSSIBILITY OF CONCLUDING A NEW AGREEMENT ON THE BASIS OF ADDED FREQUENCIES, ANNUAL INCREASES IN FREQUENCIES, AERO PERU RIGHTS TO NEW YORK AND GOP APPROVAL OF BRANIFF'S APPLICATION TO COMMENCE SERVICE FROM DALLAS-FORTH WORTH". REFERENCE TO THOSE ISSUES NOT IN CONTENTION SUCH AS CHARTERS AND FARES MIGHT BE INCLUDED. THE LETTER WOULD STATE THAT IF THIS REPRESENTS A BASIS FOR NEGOTIATION ACCEPTABLE TO THE GOP, A USG DELEGATION WILL RETURN TO LIMA FOR NEGOTIATIONS.

6. AN ALTERNATIVE WOULD BE TO DROP DE LA PUENTE,
WHO HAS SO FAR BEEN OF NO DISCERNIBLE HELP IN ANY
CASE, AND GO BACK TO SANCHEZ AND LEON DE VIVERO IN AN
EFFORT TO OBTAIN WRITTEN OR ORAL ASSURANCES THAT THERE
IS A BASIS FOR RENEWED NEGOTIATIONS. IN EITHER EVENT,
WE SHOULD NOT PLAN ON RESUMING BEFORE TWEDDLE RETURNS
TO LIMA ON SEPTEMBER 12.

7. PLEASE ADVISE. SHLAUDEMAM

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 07 sep 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978LIMA07940
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780364-1100
Format: TEL
From: LIMA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780994/aaaaczsf.tel
Line Count: 124
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 7a066956-c288-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 LIMA 7791
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 25 jul 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1521380
Secure: OPEN
Status: NATIVE
Subject: CIVIL AIR NEGOTIATIONS
TAGS: EAIR, PE, US
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/7a066956-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014